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Technology Center 2100

Patent

# 8/B  
11-2003  
E. H. H.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

John R. Koza, et al.

Application No.: 09/548,637

Filed: April 13, 2000

For: INVENTION MACHINE THAT  
AUTOMATICALLY CREATES  
NOVEL DESIGNS

Examiner: Booker, Kelvin E.

Art Unit: 2121

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO THE OFFICE ACTION**

Sir:

In response to the Office Action mailed July 17, 2003, Applicant respectfully requests the Examiner to enter the following amendments and consider the following remarks:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450

on October 14, 2003  
Date of Deposit  
Deborah A. McGovern  
Name of Person Mailing Correspondence  
DMcGovern 10-14-03  
Signature Date



2121

**AMENDMENT TRANSMITTAL**

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**PATENT**

Application No.: 09/548,637  
Filing Date: April 13, 2000  
First Named Inventor: John R. Koza  
Examiner's Name: Booker, Kelvin E.  
Art Unit: 2121  
Attorney Docket No.: 50291.P009

**OCT 2 2 2003**

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- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

**ATTACHMENTS**

- ☐ Preliminary Amendment
- ☒ Amendment
- ☐ Amendment After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☐ Information Disclosure Statement (IDS)
- ☐ Copies of IDS citations
- ☐ Petition for Extension of Time
- ☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☐ Other: \_\_\_\_\_
- ☐ Other: \_\_\_\_\_
- ☐ Check(s)
- ☒ Postcard (Return Receipt)

**SUBMITTED BY:**

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Michael J. Mallie

SIGNATURE: \_\_\_\_\_

REG. NO.: 36,591

DATE: 10/14/03

ADDRESS: 12400 Wilshire Boulevard, Seventh Floor

Los Angeles, California 90025

TELEPHONE NO.: (408) 720-8300

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)**

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Date of Deposit

Deborah A. McGovern

Name of Person Mailing Correspondence

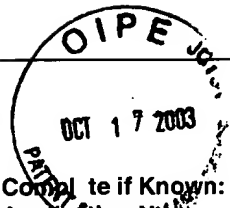
Deborah A. McGovern  
Signature

October 14, 2003  
Date

Date

**Send to:** COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

(10/10/03)



# FEE TRANSMITTAL FOR FY 2004

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT (\$) 0

Control te if Known:

Application No. 09/548,637

Filing Date April 13, 2000

First Named Inventor John R. Koza

Examiner Name Booker, Kelvin E.

Art Unit 2121

Attorney Docket No. 50291.P009

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     Applicant claims small entity status. See 37 CFR 1.27.

## METHOD OF PAYMENT (check all that apply)

     Check      Credit Card      Money Order      Other      None

X Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name:                                     

X The Director is Authorized to do the following with respect to the above-identified Deposit Account:

     Charge fee(s) indicated below.

X Credit any overpayments.

X Charge any additional fees during the pendency of this application.

X Any concurrent or future reply that requires a petition for extension of time should be treated as, incorporating an appropriate petition for extension of time and all required fees should be charged.

     Charge fee(s) indicated below except for the filing fee.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility application filing fee	<u>          </u>
1002	340	2002	170	Design application filing fee	<u>          </u>
1003	530	2003	265	Plant filing fee	<u>          </u>
1004	770	2004	385	Reissue filing fee	<u>          </u>
1005	160	2005	80	Provisional application filing fee	<u>          </u>
SUBTOTAL (1) \$					<u>          </u>

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

			Extra Claims	Fee from below	Fee Paid
Total Claims	<u>20</u>	- 20** =	<u>0</u>	<u>X</u>	<u>0</u>
Independent Claims	<u>3</u>	- 3** =	<u>0</u>	<u>X</u>	<u>0</u>
Multiple Dependent					

\*\*Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multipl d p nd nt claim, if n t paid
1204	86	2204	43	**R issu ind pendent claims ver original pat nt
1205	18	2205	9	**R issue claims in excess f 20 and ov r original pat nt

SUBTOTAL (2) \$ 0

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

<u>Larg Entity</u>		<u>Small Entity</u>		<u>F Description</u>	<u>Fe Paid</u>
<u>C d</u>	<u>Fe (\$)</u>	<u>Code</u>	<u>Fe (\$)</u>		
1051	130	2051	65	Surcharge - late filing fee or oath	_____
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	_____
1053	130	1053	130	Non-English specification	_____
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	_____
1813	8,800	1813	8,800	Request for inter parties reexamination	_____
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	_____
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	_____
1251	110	2251	55	Extension for reply within first month	_____
1252	420	2252	210	Extension for reply within second month	_____
1253	950	2253	475	Extension for reply within third month	_____
1254	1,480	2254	740	Extension for reply within fourth month	_____
1255	2,010	2255	1,005	Extension for reply within fifth month	_____
1401	330	2401	165	Notice of Appeal	_____
1402	330	2402	165	Filing a brief in support of an appeal	_____
1403	290	2403	145	Request for oral hearing	_____
1451	1,510	1451	1,510	Petition to institute a public use proceeding	_____
1452	110	2452	55	Petition to revive - unavoidable	_____
1453	1,330	2453	665	Petition to revive - unintentional	_____
1501	1,330	2501	665	Utility issue fee (or reissue)	_____
1502	480	2502	240	Design issue fee	_____
1503	640	2503	320	Plant issue fee	_____
1460	130	1460	130	Petitions to the Commissioner	_____
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	_____
1806	180	1806	180	Submission of Information Disclosure Stmt	_____
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	_____
1809	770	2809	385	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
1814	110	2814	55	Statutory Disclaimer	_____
1810	770	2810	385	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
1801	770	2801	385	Request for Continued Examination (RCE)	_____
1802	900	1802	900	Request for expedited examination of a design application	_____
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	_____
1505	300	1505	300	Publication fee for republication	_____
1803	130	1803	130	Request for voluntary publication or republication	_____
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
1454	1,330	1454	1,330	Acceptance of unintentionally delayed claim for priority	_____

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$** \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Michael J. MallieSignature:  Date: 10/14/03R g. Number: 36,591 T leph n Number: 408-720-8300

Send to: Commissioner f r Pat nts, P.O. Box 1450, Alexandria, VA 22313-1450